

CANADIAN PATENT

FEB 08 2006

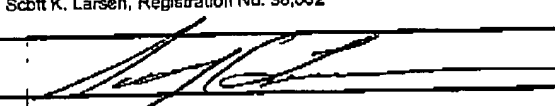
PTO/SB/21 (04-04)

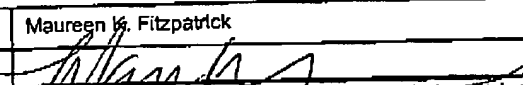
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/771,046	
	Filing Date	February 3, 2004	
	First Named Inventor	Hague et al.	
	Art Unit	1615	
	Examiner Name	D. Vanik	
Total Number of Pages in This Submission	5	Attorney Docket Number	CP246

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): - -
Remarks		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Scott K. Larsen, Registration No. 38,532	
Signature		
Date	February 6, 2006	

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Maureen K. Fitzpatrick	Date	February 6, 2006
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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Appl. No.** : 10/771,046  
**Applicant** : Hague et al.  
**Filing Date** : February 3, 2004  
**TC/A.U.** : 1615  
**Examiner** : D. Vanik

**Docket No.** : CP246  
**Title** : SUGAR-FREE ORAL TRANSMUCOSAL SOLID  
DOSAGE FORMS AND USES THEREOF

Date Submitted: February 8, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY TO REQUIREMENT TO RESTRICT UNDER 35 U.S.C. §121**

Sir:

In response to the Office Action dated January 9, 2006 with a shortened statutory period for reply of one (1) month, Applicants respectfully request reconsideration of the present application in view of the following remarks. Thus, the submission of this Reply is considered timely. Claims 1-105 are pending.

Applicants elect, with traverse, **Group I** (including Claim 43) characterized in the restriction requirement, for examination purposes only. In response to the election requirement, Applicants present, for initial search purposes only, Example 6 (p.39). Claims 1-4, 11, 15-18, 20-39, and 42-43 read thereon. (Additionally, Applicants note that Claims 44-48, 55, 59-95 and 96-105 also read thereon). However, Applicants understand that any requirement for election of species to be for initial examination purposes only, in accordance with MPEP §803.02, and not a requirement to restrict the scope of the generic and subgenra claims of this application to such a species. If the Office Action is a requirement to restrict the scope of the generic and subgenera claims to the elected species, Applicants traverse this requirement. Such a requirement would be improper, for the reasons stated in MPEP §803.02, first paragraph. Upon a finding of patentability, the search should be extended to cover non-elected species.

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